APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,067	07/16/2001	Yatin Acharya	95-512	5989

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EXAMINER
WILSON, ROBERT W

ART UNIT	PAPER NUMBER
2661	

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 July 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-2, 7-8, 10-12* is/are rejected.

7)☒ Claim(s) *3-6,9 and 13-15* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *9/24/01* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *9/24/01*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 1, 7, & 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fan

(U.S. Patent No.: 6,643,269)

Referring to claim 1, Fan teaches: A method in which a node identifies topology changes and
broadcasts a changed to session number to all of the nodes per col. 3 line 6-col. 4 line 7. A
Master CPU 46 reallocates shortened addresses to all nodes in the network based upon receiving
the message of the changed session number per col. 10 lines 40-52 (detecting).

The Master CPU 46 reallocates a shortened address to all nodes in the network based upon the
topology change per col. 10 lines 40-52 (selecting).

Based upon the reallocation of the shorten addresses by the Master CPU 46 the packet processor
in each node replaces the long addresses with the shorten addresses per col. 6 line 15-col. 7 line
67. Each data packet receives the shorten destination address or tag as shown per Fig 4
(configuring).

Fan does not expressly call for: selecting the size of address field based upon the number of
network nodes but teaches shortening the address based upon topology changes per col. 3 line 6-
col. 4 line 7.

It would have been obvious to one of ordinary skill in the art at the time of the invention that
changes in topology are directly proportional to the number of nodes in the network.

Referring to claim 7, Fan teaches: A Master CPU 46 or network manager receiving the message
of the changed session number or explorer resource from network nodes per col. 10 lines 40-52
which indicates a topology change per col. 3 line 6-col. 4 line.

The Master CPU 46 or controller reallocates a shortened address to all nodes which are switches
in the network based upon the topology change per col. 10 lines 40-52. Based upon the
reallocation of the shorten addresses by the Master CPU 46 the packet processor in each node
replaces the long addresses with the shorten addresses per col. 6 line 15-col. 7 line 67. Each data
packet receives the shorten destination address or tag as shown per Fig 4.

Fan does not expressly call for: selecting the size of address field based upon the number of network nodes but teaches shortening the address based upon topology changes per col. 3 line 6-col. 4 line 7.

It would have been obvious to one of ordinary skill in the art at the time of the invention that changes in topology are directly proportional to the number of nodes in the network.

Referring to claim 10, Fan teaches: Server is only defined in the preamble and not the claim so server was not given weight because it was assumed to be an intended use. A network comprising a plurality of nodes which are switches in a ring per Fig 1. A Master CPU 46 or network manager reallocates shortened addresses to all nodes in the network based upon receiving the message of the changed session number from network nodes which are switches per col. 10 lines 40-52. A node identifies topology changes and broadcasts a changed to session number to all of the nodes per col. 3 line 6-col. 4 line 7. The Master CPU 46 reallocates a shortened address to all nodes which are switches in the network based upon the topology change per col. 10 lines 40-52. Based upon the reallocation of the shorten addresses by the Master CPU 46 the packet processor in each node replaces the long addresses with the shorten addresses per col. 6 line 15-col. 7 line 67. Each data packet receives the shorten destination address or tag as shown per Fig 4.

Fan does not expressly call for: selecting the size of address field based upon the number of network nodes but teaches shortening the address based upon topology changes per col. 3 line 6-col. 4 line 7.

It would have been obvious to one of ordinary skill in the art at the time of the invention that changes in topology are directly proportional to the number of nodes in the network.

In Addition Fan teaches:

Regarding claim 11 (assuming that claim 11 depends upon claim 10), Fan teaches a shortened address per col. 3 line 6 or col. 4 line 7. It would have been obvious to one of ordinary skill in the art at the time of the invention that a shortened address requires fewer bits.

Regarding claim 12 (assuming that claim 11 depends upon claim 10), Fan teaches: look up table per col., 7 line 11-67 or col. 8 line 55-col. 10 line 67.

3.   Claim 2 & 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fan (U.S.

Patent No.: 6,643,269) in view of Davie (U.S. Patent No.: 6,430,155)

Referring to claim 2, Fan teaches: the method of claim 1 and teaches sending a reallocate of shortened address to the nodes.

Fan does not expressly call for: management datagram but sending a reallocation of shortened addresses to the nodes per col. 10 lines 40-52.

Davie teaches: sending management datagrams which specify resources per col. 9 llines 7-67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the management datagrams of Davie in place of the reallocate message of Fan because the management datagram is a message which is used to define resources.

Referring to claim 8, Fan teaches: the method of claim 7 and teaches sending a reallocate of shortened address to the nodes.

Fan does not expressly call for: management datagram but sending a reallocation of shortened addresses to the nodes per col. 10 lines 40-52.

Davie teaches: sending management datagrams which specify resources per col. 9 lines 7-67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the management datagrams of Davie in place of the reallocate message of Fan because the management datagram is a message which is used to define resources.

Claim Objections

4.   Claims 3-6 & 9-15 are objected to because of the following informalities:

Referring to claim 3, claim 3 is a dependent claim which is depended upon itself. The examiner suggest that claim 3 be modified to depend upon claim 2. Claims 4-6 & 9 depend upon claim 3.

Referring to claim 10, the examiner objects to this claim because the claim is confusing to the reader. The claim is confusing to the reader because it only talks configuring network nodes including switches. It does not clearly indicate that the switch is also a special kind of network nodes. The examiner suggests amending the claim to : A network within a server system the network comprising: a plurality of network nodes, and a plurality of network switches configured for switching data packets wherein said network switch is a special kind of network node; and a network manger configured for detecting network nodes, including .....switching tag.

Referring to claim 11, claim 11 is a dependent claim which is dependent upon itself. The examiner suggests that claim 11 be modified to depend upon claim 10. Claims 12-15 depend upon claim 11. Appropriate correction is required.

Drawings

5.   The examiner objects to Figures 1-4 because element names have not been provided for all of the element numbers.

Referring to Figure 1, Element number 10 is a Network. Element 11a is a Computing Node. Element 1c is Ethernet bridge or storage.

Referring to Figure 2, element 32a is a Subnetwork.

Referring to Figure 3A, element 40 is Local Router Header.

Referring to Figure 3B, element 57 is a Switching Tag; Element 59 is Start of the Data Packet; and Element 57 is Switching Tag Portion.

Referring to Figure 4, the Figure does not have an overall elemental number but is called Method for Selecting an Address Size.
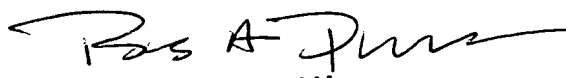
Conclusion

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Robert W. Wilson whose telephone number is 571/272-3075.

The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Chau T. Nguyen can be reached on 571/272-3126. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert W Wilson
Examiner
Art Unit 2661

BOB PHUNKULH
PRIMARY EXAMINER

RWW